

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MAINE**

<b>DON JUAN MOSES,</b>	)	
	)	
<b>PLAINTIFF</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL No. 2:13-cv-170-DBH</b>
	)	
	)	
<b>PNS STORES, INC.,</b>	)	
	)	
<b>DEFENDANT</b>	)	

**REPORT OF PRE-FILING CONFERENCE UNDER LOCAL RULE 56**

A Local Rule 56 pre-filing conference was held on December 5, 2013.

The plaintiff's complaint includes three claims under the Maine Human Rights Act, 5 M.R.S.A. § 4551 et seq.—race discrimination (Count I), retaliation (Count II) and constructive discharge (Count III). The plaintiff's race discrimination claim has two parts to it—(1) failure to transfer the plaintiff to the Furniture Department, and (2) hostile work environment. The plaintiff's race discrimination and retaliation claims are not dependent on the constructive discharge claim. The defendant will move for summary judgment on all claims.

The following deadlines and page limits were established by agreement:

By January 24, 2014, the defendant will file its motion for summary judgment with a 20 page limit and no more than 95 factual statements.

By February 18, 2014, the plaintiff will respond to the motion for summary judgment.

By February 25, 2014, the defendant will file its reply.

**SO ORDERED.**

**DATED THIS 12<sup>TH</sup> DAY OF DECEMBER, 2013**

\_\_\_\_\_  
/s/D. BROCK HORNBY  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**